

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID HIERGESELL,

Plaintiff,

STIPULATION AND ORDER

Civil Action No. 07 CV 3435 (TPG)

-against-

THE INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA,

Defendant,

Thomas P. Griesa, J.
Andrew J. Peck, M.J.

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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that the above-entitled action has been settled for the sum of \$45,000.00 without interest, costs or disbursements to either party and the action is hereby discontinued and dismissed with prejudice.

Defendant shall make payment of the settlement payable to "David Hiergesell and Frank J. Laine, P.C. as attorney" within twenty-one days of its receipt of this stipulation and a general release.

This Stipulation may be filed and "So-Ordered" without further notice.

Dated: June 26, 2007

S/

Frank Braunstein (FB4652)
FRANK J. LAINE, P.C.
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S/

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So Ordered,

THOMAS P. GRIESA, U.S.D.J.